

SENATE TRANSPORTATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR **SENATE, No. 1375**

STATE OF NEW JERSEY

DATED: MAY 17, 2004

The Senate Transportation Committee reports favorably Senate Committee Substitute for Senate Bill No. 1375.

The purpose of this substitute bill is to strengthen the security of the Port of New York and New Jersey and enhance its economic and environmental viability by clarifying and modernizing the provisions of chapter 8 of Title 12 of the Revised Statutes pertaining to maritime pilots. Under current law, New Jersey maritime pilots are subject to the jurisdiction of the Board of Commissioners of Pilotage of the State of New Jersey in but not of the Department of Law and Public Safety. New York has a corresponding New York Pilotage Commission with jurisdiction over New York pilots.

The bill renames the New Jersey Board as the New Jersey Maritime Pilot and Docking Pilot Commission ("the commission") and allocates it in, but not of, the Department of Transportation. The bill also provides that the commission is to elect officers from among its members and may employ an executive director and other employees outside of the civil service laws.

The commission is given the authority to regulate and license docking pilots in addition to its current duty of regulating and licensing maritime pilots. However, the commission is not to exercise any control or authority over docking pilot rates, pensions, benefits or other compensation of docking pilots. In addition, nothing in the pilotage law is to affect the right of the owner, operator or master of a regulated vessel to choose, select or engage an individual docking pilot or tugboat company.

The current one and one half percent of pilotage fees received from maritime pilots as compensation to the commissioners is increased to a maximum of three percent, the actual assessment to be determined by the commission, and is to be used not only for the compensation of the commissioners but also for the commission's other administrative expenses. The compensation received by the commissioners is to be \$28,000 per annum.

The bill modernizes or clarifies provisions relating to appeals of the commission's orders or judgments, maritime pilot and docking pilot apprenticeships, promotions and oaths, suspension and revocation of

licenses, stationing of pilot boats, pilotage rates, penalties for piloting without a license and furnishing of financial information to the commission.

Maritime pilots and docking pilots are required to show an identity badge, identity card, or such documents as the commission may require by regulation, to the master of vessel to which they are offering services.

The bill provides for various criteria which a docking pilot and a docking pilot apprentice must fulfill in order to be qualified by the commission and provides for the various functions which a docking pilot may perform.

The bill repeals various parts of chapter 8 of Title 12 of the Revised Statutes in furtherance of the bill's purposes of modernization and clarification of the pilotage statutes.